

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ASWAD BILLUPS,

Plaintiff,

-against-

PRO HEALTH CARE,

Defendant.
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GLASSER, United States District Judge:

In a Report and Recommendation dated June 17, 2005, Magistrate Judge Pohorelsky recommends that this action be dismissed without prejudice for want of prosecution and that objections to it, if any, were to be filed and served within ten days; and that failure to do so would be regarded as a waiver of the right to appeal. As of this date, no objection has been filed.

The Report and Recommendation is, after due consideration, hereby adopted in its entirety and the Clerk of Court is directed to dismiss this case without prejudice.

Outgoing counsel for the plaintiff shall serve a copy of this Order on the plaintiff at his last known address by regular mail and by certified mail, return receipt requested, and shall file a certification of such service in the record.

SO ORDERED.

Dated: Brooklyn, New York
July 11, 2005

S/ _____
I. Leo Glasser